

**ORDER OF BUSINESS  
BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA**

**APRIL 20, 2010**

**TUESDAY  
9:30 A.M.**

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
  
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
  
- 3. CONSENT AGENDA (Pages 7 - 32)**
  
- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 33)**
  
- 5. REGULAR AGENDA (Pages 34 - 39)**  
**TIME CERTAIN 10:00 A.M. (Comprehensive Annual Financial Report Presentation) (Page 34)**
  
- 6. BOARD APPOINTMENTS (Pages 40 - 41)**
  
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** Memorandum of Agreement with the United Way of Palm Beach County to support the Palm Beach County Prosperity Campaign in the amount not-to-exceed \$95,090 for the period of October 1, 2009, through September 30, 2010. **SUMMARY:** United Way manages and operates the Volunteer Income Tax Assistance (VITA) Program as part of the Palm Beach County Prosperity Campaign. Staff recommends the continuation of the County's Participation in the Palm Beach County Prosperity Campaign for the tax year 2009. Funds for this program are included in the FY 2010 budget. This Memorandum of Agreement is needed to facilitate the reimbursement of expenses to the United Way. Countywide (LS)
2. **Staff recommends motion to adopt:** a Resolution amending Resolution R2008 - 1810, as amended by R2009-0237, which created the Palm Beach County Water Resources Task Force. This Amendment creates a fourteenth seat on the Task Force through the addition of a representative and alternate from the Indian Trail Improvement District (ITID). This amendment also revises the special independent district water and/or wastewater provider seat to include a utility water and/or wastewater provider. **SUMMARY:** The Water Resources Task Force was originally comprised of 13 members: six (6) City elected officials; one (1) County Commissioner; one (1) South Florida Water Management Governing Board Member; one (1) Lake Worth Drainage District representative; one (1) drainage/water control district representative; one (1) special independent district water/wastewater provider; one (1) environmental representative; one (1) active farmer representing farming interests. The addition of an ITID seat provides for western community improvement district representation. The revision to the special independent district wording provides a better opportunity for utility representation on the Task Force. Countywide (MJ)
3. **Staff recommends motion to receive and file:** Resolution No. 1107 of the Town of Bay Harbor Islands, Florida, urging the Florida Legislature to provide each region of the state, including Southeast Florida and Miami-Dade County, its fair share of state funding based on where revenue is generated.

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings: None
3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during February 2010. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to adopt: a Resolution approving Amendment Number Three to the County Incentive Grant Program (CIGP) Agreement (R2007-0255) with the Florida Department of Transportation, approved on February 27, 2007, to extend the Agreement's expiration date for the Lyons Road from north of Atlantic Avenue to south of Boynton Beach Boulevard project. **SUMMARY:** Approval of Amendment Number Three to the CIGP will change the expiration date of the Agreement from June 30, 2010, to December 31, 2010. District 5 (MRE)
2. Staff recommends motion to adopt: a Resolution approving Amendment Number One to the County Incentive Grant Program (CIGP) Agreement (R2008-0725) with the Florida Department of Transportation, approved on May 6, 2008, to extend the Agreement expiration date for the Hypoluxo Road from Jog Road to Military Trail project. **SUMMARY:** Approval of Amendment Number One to the CIGP will change the expiration date of the Agreement from June 30, 2010, to December 31, 2010. District 3 (MRE)
3. Staff recommends motion to approve: the First Amendment to Interlocal Agreement (R2010-0026) with the School District of Palm Beach County (School Board) regarding the drainage on Lawrence Road fronting the Royal Palm School facility to address the now required non-discrimination provision. **SUMMARY:** Approval of this Amendment will revise the non-discrimination clause to more accurately reflect the policies of the School Board and Palm Beach County. District 3 (MRE)
4. Staff recommends motion to approve: an Agreement with Gentile Holloway O'Mahoney & Associates, Inc. to provide the necessary professional services for Landscape Architectural Services on a task order basis for Countywide projects, as required. **SUMMARY:** Approval of this Agreement will provide the necessary professional services for Landscape Architectural Services throughout Palm Beach County (County) for all user departments. At the option of the County, this Agreement can be renewed annually for a period of one (1) year, with a maximum of two (2) renewals. The consultant is a County company with 25% of the work to be completed by an out of County subconsultant. Countywide (PK)
5. Staff recommends motion to approve: agreements with Erdman Anthony of Florida, Inc. and Progressive Design & Engineering, Inc. to provide the necessary professional services for street lighting design on a task order basis for Countywide projects, as required. **SUMMARY:** Approval of these Agreements will provide the necessary professional services for street lighting design throughout Palm Beach County (County) for all user departments. At the option of the County, these Agreements can be renewed annually for a period of one (1) year, with a maximum of two (2) renewals. Erdman Anthony of Florida, Inc. is a County company with 40% of the work to be completed by a County subconsultant. Progressive Design & Engineering, Inc. is also a County company who will complete 100% of the work. Countywide (PK)
6. Staff recommends motion to approve: a Department of the Army Consent to Easement Agreement (Agreement) to use Corps of Engineers right-of-way to construct improvements to the George Bush Boulevard Bridge over the Intracoastal Waterway in Delray Beach. **SUMMARY:** Approval of this Agreement will allow Palm Beach County to construct improvements to the George Bush Boulevard Bridge within the Federal right-of-way of the Intracoastal Waterway. District 4 (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to adopt: a Resolution approving Amendment Number Two to the Joint Participation Agreement (JPA) (R2008-0498) with the Florida Department of Transportation, approved on April 1, 2008, to extend the JPA expiration date for the S.R. 811 from Donald Ross Road to Center Street project. **SUMMARY:** Approval of Amendment Number Two to the JPA will change the expiration date from June 30, 2010, to December 31, 2010. District 1 (MRE)
  
8. Staff recommends motion to adopt: a Resolution approving Amendment Number Five to the County Incentive Grant Program Agreement (Agreement) (R2001-2157) with the State of Florida Department of Transportation, approved on December 18, 2001, to extend the Agreement expiration date for the Okeechobee Boulevard from west of S.R. 7 to Florida's Turnpike project. **SUMMARY:** Approval of Amendment Number Five to the Agreement will change the expiration date from June 30, 2010, to December 31, 2010. Districts 2 & 6 (MRE)
  
9. Staff recommends motion to adopt: a Resolution approving Amendment Number Two to the Transportation Regional Incentive Program Agreement (R2001-2157) with the State of Florida Department of Transportation, approved on June 3, 2008, to extend the Agreement expiration date for the S.R. 7 at S.R. 80 project. **SUMMARY:** Approval of Amendment Number Two to the Agreement will change the expiration date from June 30, 2010, to December 31, 2010. District 6 (MRE)
  
10. Staff recommends motion to receive and file: Supplement No. 4 to Project Number 2005503, under Agreement R2006-1052, for professional services for the preparation of design plans and construction bid documents for Lyons Road from north of West Atlantic Avenue to south of Boynton Beach Boulevard. **SUMMARY:** Filing of this Supplement No.4, in an amount of \$86,127.85, will provide the notification required under PPM CW-F-050 (7.E). District 5 (PK)
  
11. Staff recommends motion to approve: Ten (10) Renewal and Amendment Agreements to provide appraisal services for right-of-way acquisition for the term of one (1) year from April 21, 2010, through April 20, 2011. **SUMMARY:** Approval of this item will allow the following ten (10) firms to be included on Palm Beach County's prequalified appraisers list for 2010: Ames Appraisal Services; Anderson & Carr, Inc.; Appraisal & Acquisition Consultants, Inc.; Callaway & Price, Inc.; Jenkins Appraisal Services, Inc.; M. R. Ford & Associates, Inc.; Parrish & Edwards, Inc.; R E Analysts, Inc.; S. F. Holden, Inc. and The Spivey Group, Inc. These renewals will add the necessary language to the appraisers' agreements regarding the additional nondiscrimination language; appeal process for suspension or removal; the applicability of the Inspector General Ordinance and the inclusion of the Inspector General fee. Countywide (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

12. Staff recommends motion to:
- A) approve** a Piping License Agreement with the Lake Worth Drainage District (LWDD) to maintain a piped canal within the license area adjacent to the future southern right-of-way of Summit Boulevard east of the intersection of Military Trail; and
- B) accept** a Quit Claim Deed from LWDD for that portion of the L-6 Canal for the future expansion of Summit Boulevard from Military Trail to the east.
- SUMMARY:** Approval of this Piping License Agreement with LWDD will allow the County to acquire additional right-of-way needed for the future expansion of Summit Boulevard east of Military Trail. The County agrees to maintain the adjacent piped canal. District 2 (PFK)
13. Staff recommends motion to approve: an Agreement in the amount of \$494,312.17 with Wantman Group, Inc. for professional services. **SUMMARY:** Approval of this Agreement will provide the professional services necessary for the preparation of design plans and construction bid documents for Jog Road from north of S.R. 710 to 0.5 Miles north of Florida's Turnpike Entrance. The consultant is a Palm Beach County (County) Company with 36.94% of the work to be completed by subconsultants. District 1 (PK)
14. Staff recommends motion to adopt: a Resolution to authorize an Agreement with the Florida East Coast Railway (FEC) and Florida Department of Transportation (FDOT) for installation and synchronization of grade crossing and highway signal devices (with traffic signal heads mounted on the railroad truss), for the operation of the highway signal devices on the railway's signal truss at FEC railroad crossing number 272390-P, mile post 294+2,482, on Blue Heron Boulevard, east of Old Dixie Highway. **SUMMARY:** Adoption of this Resolution will approve an Agreement for installation of traffic control devices on FEC's cantilever truss and synchronization devices for eastbound and westbound Blue Heron Boulevard by FDOT, at FDOT's expense. Once complete, Palm Beach County will be required to maintain the new traffic control devices and the synchronization devices by agreement with FDOT. FDOT will continue to own the traffic signals on the eastbound and westbound approaches at Blue Heron Boulevard. District 7 (MRE)
15. Staff recommends motion to approve: an Agreement with Civil Design, Inc. to provide the necessary professional services for civil engineering on a task order basis for Countywide projects, as required. **SUMMARY:** Approval of this Agreement will provide the necessary professional services for civil engineering throughout Palm Beach County (County) for all user departments. At the option of the County, this Agreement can be renewed annually for a period of one (1) year, with a maximum of two (2) renewals. The consultant is a County company with 26% of the work to be completed by County subconsultants. Countywide (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

16. Staff recommends motion to approve: Amendment No. 1 to the following agreements to incorporate the requirements and fee for the Office of the Inspector General:

**A)** Arcadis U.S., Inc., (March 11, 2008, R2008-0305) providing for intersection improvement professional services;

**B)** Arcadis U.S., Inc., (September 9, 2008, R2008-1414) providing for traffic signal design services;

**C)** Ardaman & Associates, Inc., (September 9, 2008, R2008-1425) providing for professional testing lab services;

**D)** Bridge Design Associates, Inc., (February 5, 2008, R2008-0159) providing for structural engineering professional services;

**E)** Brown & Phillips, Inc., (March 11, 2008, R2008-0317) providing for professional surveying and mapping services;

**F)** Corzo Castella Carballo Thompson Salman, P.A., (February 5, 2008, R2008-0161) providing for structural engineering professional services;

**G)** Dennis J. Leavy & Associates, Inc., (January 15, 2008, R2008-0020) providing for professional surveying and mapping services;

**H)** Dunkelberger Engineering & Testing, Inc., whose original Agreement was dated October 21, 2008, R2008-1828 providing for professional testing lab services;

**I)** Erdman Anthony of Florida, Inc., (February 5, 2008, R2008-0164) providing for intersection improvement professional services;

**J)** Nodarse & Associates, Inc., (October 21, 2008, R2008-1829) providing for professional testing lab services;

**K)** Progressive Design & Engineering, Inc., (July 22, 2008, R2008-1280) providing for professional traffic signal design services;

**L)** Radise International, LC, (September 23, 2008, R2008-1602) providing for professional testing lab services;

**M)** R. J. Behar & Company, Inc., (February 5, 2008, R2008-0160) providing for structural engineering professional services;

**N)** Testing Lab of the Palm Beaches, Inc., (November 18, 2008, R2008-2034) providing for professional testing lab services; and

**O)** Tierra, Inc., whose original Agreement (September 9, 2008, R2008-1417) providing for professional testing lab services.

**SUMMARY:** Approval of these Amendments will add the necessary language to the consultants' contracts regarding the applicability of the Inspector General Ordinance and the inclusion of the Inspector General fee into future task orders to the consultant. Countywide (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

17. Staff recommends motion to approve: an Agreement with Last Devenport, Inc. to provide the necessary professional services for civil engineering on a task order basis for Countywide projects, as required. **SUMMARY:** Approval of this Agreement will provide the necessary professional services for civil engineering throughout Palm Beach County (County) for all user departments. At the option of the County, this Agreement can be renewed annually for a period of one (1) year, with a maximum of two (2) renewals. The consultant is a County company with 29% of the work to be completed by County subconsultants. Countywide (PK)
  
18. Staff recommends motion to adopt: a Resolution approving a replacement Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation. **SUMMARY:** Approval of this Agreement will provide compensation for the maintenance of traffic signals, which include traffic signal systems (computers, network switches, cameras, and dynamic message signs), school flashers, street name signs, intersection control beacons, and the payment of electrical charges incurred in the operation of these items. Based on the number of intersections identified, Palm Beach County will receive approximately \$751,970.50 the first year, with an annual increase of 3%. This replaces a previous agreement that was executed by both parties in 2002 (R2002-1639). This Resolution also authorizes the County Administrator or his designee to annually approve the County list of signalized intersections and equipment. Countywide (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: the executed Closing Agreement on Final Determination Covering Specific Matters dated March 11, 2010 (the "Closing Agreement"), by and among The Raymond F. Kravis Center for the Performing Arts (the "Borrower"), Palm Beach County, Florida (the "Issuer") and the Internal Revenue Service (the "Service"). **SUMMARY:** Resolution No. 2002-0681 authorized issuance of industrial development bonds for The Raymond F. Kravis Center for the Performing Arts Project, Series 2002 (the "Bonds"). A review of the Bonds by the Service concluded that the Borrower failed to meet certain requirements of Section 103 of the Internal Revenue Code. The Closing Agreement settled certain matters covered under the Service's examination, resulting in the Borrower paying \$320,000 and redeeming a portion of the outstanding Bonds. The parties have executed the Closing Agreement and it should now be received and filed in the Minutes Department. Countywide (PFK)
  
2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, designating deputy tax collectors of the Palm Beach County Tax Collector as agents of the County to enforce Chapter 17, Article II of the Palm Beach County Code, the Business Tax Ordinance utilizing the code enforcement processes provided in Chapter 8.5 of the Palm Beach County Code and Article 10 of the Unified Land Development Code. **SUMMARY:** the Resolution designates deputy tax collectors as agents of the County for the purpose of enforcing the Business Tax Ordinance. Deputy tax collectors will act as code enforcement officers to enforce the business tax ordinance utilizing the code enforcement special master process and the code enforcement citation system ordinance. Countywide (RPB)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendment No. 001 to Standard Agreement No. IC009-9500 (R2009-1258) for the Community Care for the Elderly (CCE) Program with the Area Agency on Aging (AAA) of Palm Beach/Treasure Coast, Inc. for the period July 1, 2009, through June 30, 2010, increasing the agreement amount by \$30,000 for a new total not-to-exceed the amount of \$1,055,370. **SUMMARY:** This Amendment will increase client services by \$30,000 and required County funds by \$3,333. County funds are currently in the budget. In area south of Hypoluxo Road, The Volen Center provides CCE services from AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)
2. **Staff recommends motion to approve:** Amendment No. 3 to Children's Home Society contract (R2007-1930) for the period October 1, 2009, through September 30, 2010, to adjust the contract costing structure. **SUMMARY:** Adjustments to the unit cost rate and units delivered are necessary to reflect the services delivered in the Transitions Home Program. Realignment of current contract cost structure will allow for more efficient monitoring by department staff and more accurate billing. There is no change to any other program funded under this contract. There is no change to the contract amount of \$164,862 and no additional funding is being requested. Countywide (TKF)
3. **Staff recommends motion to approve:** Amendment No. 5 to the contract with the Center for Family Services of Palm Beach County (R2008-2115), increasing funding for the Traveler's Aid Program by \$31,000, for a new not-to-exceed total amount of \$388,782. **SUMMARY:** The Department of Community Services through the Financially Assisted Agencies program has been requested to provide \$31,000 in additional funds to the Center for Family Services, specifically in the Traveler's Aid program. This program is currently funded at \$13,470 and will be raised to \$44,470. Funding under this Amendment will be used for non-refundable bus tickets to transport homeless individuals to locations where permanent housing has been arranged, as well as case management services, and administrative expenses. This agency is working closely with the County's Homeless Outreach Teams under the direction of the Human Services Division to make sure all individuals who qualify will receive this emergency assistance. The funding for this Amendment is from unused allocated funds to Financially Assisted Agency Big Brothers/Sisters. This agency discontinued services as of November 1, 2009, and thus the County did not fund this agency its entire contract amount. Countywide (TKF)
4. **Staff recommends motion to approve:** Amendment No. 003 to Standard Agreement No. IA009-9500 (R2009-0405) for the Older Americans Act (OAA) Program with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January 1, 2009, through December 31, 2009, increasing the agreement by \$29,826, for a new total not-to-exceed \$2,110,427.70, for various supportive services to seniors. **SUMMARY:** This Amendment will increase IIC2 home delivered meals by \$29,826 and required County funds by \$3,314. County funds are currently in the budget. In the area south of Hypoluxo Road, The Volen Center currently provides OAA services under a similar grant from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. **Staff recommends motion to receive and file:** a Resolution by the Homeless Advisory Board to oppose Amendment 4, Florida Hometown Democracy Land Use Initiative. **SUMMARY:** Amendment 4 seeks to place a constitutional amendment before Florida's voters to amend Article II, Section 7, of the Florida Constitution. The amendment may impede progress on smart growth policies aimed at planning for responsible development. The amendment would make it more difficult and costly to develop low-income housing that could be targeted for the homeless. The Homeless Advisory Board, by majority vote, recommended approval of this resolution on February 17, 2010, opposing Amendment 4. (Human Services) Countywide (TKF)
  
6. **Staff recommends motion to approve:** Amendment No. 1 to the contract with The Center for Family Services of Palm Beach County, Inc. (R2009-1252) for the period of October 1, 2009, through September 30, 2010, increasing the contract by \$75,000 for a total of \$122,514, for emergency shelter services to homeless persons. **SUMMARY:** The Center for Family Services will coordinate emergency after hours shelter placement and food, including the provision of transportation and ongoing case management to homeless persons until alternate placement can be arranged. A total of \$122,514 in County funds is included in the FY 2010 budget. (Human Services) Countywide (TKF)
  
7. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with Invo Healthcare Associates, Inc. for the period of December 15, 2009, through September 30, 2010, in an amount of \$3,000, for speech and language services to Head Start children. **SUMMARY:** Invo Healthcare Associates, Inc., a non-local firm registered to do business in Florida, will provide speech/language therapy by appropriate Palm Beach County based licensed therapists, to Head Start children in accordance with the Head Start Act. The provider is required to bill Medicaid for evaluations and services for children who are Medicaid eligible. Funding consists of \$2,400 (80%) in Federal funds and \$600 (20%) in County funds. (Head Start) Countywide (TKF)
  
8. **Staff recommends motion to approve:** Standard Cooperative Agreement with the School Board of Palm Beach County for the period of July 1, 2010, through June 30, 2013, at no cost to the County, to provide Exceptional Student Education programs for eligible Head Start students. **SUMMARY:** The School Board of Palm Beach County will provide all services to students as specified in the students' Individual Education Plan utilizing funding from the Full Time Equivalency (FTE) amount allocated by the State Department of Education. Head Start will screen for vision, speech, hearing, development and behavior to identify students appropriate for the program. Services provided by the School Board will be at no cost to the County. (Head Start) Countywide (TKF)
  
9. **Staff recommends motion to approve:** Standard Contract for the Brief Intervention and Treatment for Elders (BRITE) Program with the Florida Department of Children and Families (DCF) for the period March 1, 2010, through February 28, 2011, for a not-to-exceed amount of \$150,000. **SUMMARY:** BRITE is a substance abuse/mental health, brief intervention and treatment program that targets seniors age 55 and older. BRITE focuses on providing services within primary and emergency health care settings, public health clinics, elder homes, and other aging service sites. Clients may be offered screening, brief intervention and brief treatment by the Division of Senior Services or they may be offered more intensive care by a substance abuse/mental health specialist provider agency. No County funding is needed. (DOSS) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** Amendment No. 2 to the General Consulting Agreement with Ricondo & Associates, Inc. (R2009-1643) to incorporate the requirements and fee for the Office of Inspector General into the Agreement. **SUMMARY:** This Amendment will add the necessary language to the consultant's agreement regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. Countywide (JCM)
  
2. **Staff recommends motion to approve:** Amendment No. 8 to the General Consulting Agreement with The LPA Group, Incorporated for Consulting/Professional Services in the amount of \$354,881.80 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program, and to include language regarding the Office of Inspector General Ordinance requirement and fee. **SUMMARY:** The Consulting Agreement (R2006-2418) with The LPA Group, Incorporated for general airport planning and design was approved on November 21, 2006 in the amount of \$1,420,544 in order to carry out the approved Capital Improvement Programs for the County's Airports. The agreement is for two (2) years with two (2) - one (1) year renewal options. Amendments 1-7 were approved for a net increase in the amount of \$7,675,145.30. Amendment No. 4 approved by the Board of County Commissioners (BCC) on October 21, 2008 (R2008-1847) exercised the first one (1) year renewal option. Amendment No. 7 approved by the BCC on November 3, 2009 (R2009-1877) exercised the second one (1) year renewal option. Approval of Amendment No. 8 in the amount of \$354,881.80 will provide funds to complete the following tasks and services: Task I Services – Palm Beach International Airport (PBI A)–Fire Alarm System Improvements Additional Construction Administration (CA) Services, North Palm Beach County General Aviation Airport (F45) Corporate Hangars E & F Additional Services and PBI A Wildlife Hazard Assessment; Task III Services – Miscellaneous Planning, Engineering and Construction Services. Approval of Amendment No. 8 will also modify the agreement to include the mandatory requirements of Ordinance No. 2009-049, the Palm Beach County Office of Inspector General Ordinance for non-exempt projects. Certain tasks performed during the term of this Amendment may be eligible for State and Federal grant participation. The Disadvantaged Business Enterprise (DBE) Goal for this contract was established at 25%. The DBE participation for this Amendment is 7.55%. The total DBE contract participation to date including all amendments is 18.64%. Countywide (JCM)
  
3. **Staff recommends motion to approve:** Amendment No. 1 to the Construction Manager at Risk (CMR) Contract with David Brooks Enterprises, Inc. for the Miscellaneous Repair, Replacement and Improvement Projects for Palm Beach County Department of Airports exercising the first one (1) year renewal option for the continuation of services, and to include language regarding the Office of Inspector General Ordinance requirement and fee. **SUMMARY:** The CMR Contract with David Brooks Enterprises, Inc. for the Miscellaneous Repair, Replacement and Improvement Projects for Palm Beach County Department of Airports was approved on May 20, 2008 (R2008-2048). The Contract is for two (2) years with three (3) - one (1) year renewal options. Approval of Amendment No. 1 will allow the County, at its sole discretion, to exercise the first one (1) year renewal option for the continuation of services provided under the CMR Contract. In addition, this amendment will modify the contract to include mandatory requirements of Ordinance No. 2009-049, the Palm Beach County Office of Inspector General Ordinance for non-exempt projects. The Small Business Enterprise (SBE) Goal for this contract was established at 15%. The total SBE contract participation to date including all tasks is 28.18%. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to approve: Amendment No. 1 to the Construction Manager at Risk (CMR) Contract with The Morganti Group, Inc. for the Miscellaneous Repair, Replacement and Improvement Projects for Palm Beach County Department of Airports exercising the first one (1) year renewal option for the continuation of services, and to include language regarding the Office of Inspector General Ordinance requirement and fee. **SUMMARY:** The CMR Contract with The Morganti Group, Inc. for the Miscellaneous Repair, Replacement and Improvement Projects for Palm Beach County Department of Airports was approved on May 20, 2008 (R2008-2050). The Contract is for two (2) years with three (3) - one (1) year renewal options. Approval of Amendment No. 1 will allow the County, at its sole discretion, to exercise the first one (1) year renewal option for the continuation of services provided under the CMR Contract. In addition, this amendment will modify the contract to include mandatory requirements of Ordinance No. 2009-049, the Palm Beach County Office of Inspector General Ordinance for non-exempt projects. The Small Business Enterprise (SBE) Goal for this contract was established at 15%. The total SBE contract participation to date including all tasks is 14.87%. Countywide (JCM)

5. Staff recommends motion to receive and file: six (6) original Agreements for the Department of Airports:

**A)** Consent to Sublease for Florida Airmotive, Inc. with Jet Version, Inc., commencing August 1, 2009, approved March 8, 2010 (AH);

**B)** Consent to Sublease for Galaxy Aviation of Palm Beach, Inc. with Agilis Management, Inc., commencing April 1, 2007, approved April 10, 2007 (LMB);

**C)** Consent to Sublease for Galaxy Aviation of Palm Beach, Inc. with Challenger Management, LLC, commencing March 1, 2006, approved April 11, 2006 (LMB);

**D)** Consent to Sublease for Signature Flight Support with General Dynamics Aviation Services Corporation, Amendment No. 1 dated January 31, 2006, approved April 11, 2006 (LMB);

**E)** Consent to Permit for Signature Flight Support with Norman Aircraft Leasing, Inc., commencing December 1, 1998, approved February 2, 1999 (DW); and

**F)** License Agreement with The Hertz Corporation, commencing November 23, 2009, expiring March 31, 2010, automatically renewed on monthly basis (AH).

**SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R1994-1453 and R2007-2070. Countywide

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** an annual contract with Robling Architecture Construction, Inc. for the construction of pavilions, shelters, and sheds in an amount not to exceed \$499,999. **SUMMARY:** This contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$499,999. The contract will terminate when a total of \$499,999 in work orders are issued or when the one (1) year time frame has expired, whichever occurs first. The contract provides for up to four (4) – one (1) year renewals, each for a not-to-exceed amount of \$499,999, at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original terms and conditions of the contract. The work consists of the construction of picnic pavilions, shelters, or storage sheds and associated site improvements. Any work performed will be in accordance with the contract and the unit-pricing listing. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The Small Business Enterprise (SBE) goal is 15%, and will be tracked cumulatively for each work order issued. Robling Architecture Construction, Inc. is a certified SBE Contractor and is a Palm Beach County company. (FD&O Admin) Countywide (JM)
  
2. **Staff recommends motion to approve:** Consultant Services Authorization No. 6 to Architectural Services Contract with MPA Architects, Inc. (R2007-0394) for \$168,913 for architectural, engineering and construction administration services for Fire Station No. 74 in South Bay. **SUMMARY:** The project involves architectural, engineering, landscape and irrigation design, and construction administration services for a new fire station on US Highway No. 27. The estimated construction cost is \$2,200,000. Design of this project is being funded from ad valorem taxes through the Fire Rescue MSTU. The consultant is a local firm and is using all Palm Beach County subconsultants. The Small Business Enterprises (SBE) participation for this work is 87%. When added to the consultant's participation to date, the resulting SBE participation is 87%. The consultant's goal is 80%. (Capital Improvements Division) District 6 (JM)
  
3. **Staff recommends motion to approve:** Amendment No. 4 to the contract with The Weitz Company (R2007-1105) for \$1,692,169 for construction management services for the Greenacres Library establishing a Guaranteed Maximum Price (GMP) for the renovation of the existing library. **SUMMARY:** Amendment No. 4 establishes a GMP of \$1,692,169 and 150 calendar days to completion of the building renovation work for the Greenacres Library and adds the necessary language to the contract regarding the applicability of the Inspector General Ordinance and the inclusion of the Inspector General fee into this and future Amendment GMPs. The GMP includes the cost of work, the construction manager's fee and a contingency. The project is funded with Ad Valorem Funds transferred annually from the Library's operating funds. The Small Business Enterprise (SBE) goal for this contract is 15%. The Weitz Company's SBE participation for this project is anticipated to be 44%. (Capital Improvements Division) District 2 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. **Staff recommends motion to approve:** Amendment No. 2 to the Lease Agreement (R2002-1349), as amended with the School Board of Palm Beach County for the County's continued use of approximately 560 SF of office space within the Delray Full Service Center, at an annual rate of \$1/year. **SUMMARY:** The County's Head Start and Children's Services Division currently leases approximately 560 SF of office space at the School Board's Delray Full Service Center, located at 301 Southwest 14<sup>th</sup> Avenue, Delray Beach, for the operation of a Community Outreach Program. On July 10, 2007, the Board approved Amendment No 1, extending the term for one (1) year and providing for two (2) additional one (1) year options. The County has exercised all of its options to extend the term of the Lease Agreement, which expires on August 19, 2010. This Amendment No. 2 will: (i) extend the term of the Lease Agreement from August 20, 2010 through August 19, 2011, (ii) modify and redefine the Leased Facilities, (iii) update the notice provisions, (iv) allow for termination by either party for any reason with ninety (90) days notice to the other and (v) provide for acknowledgement and acceptance of County Ordinance No 2009-049 establishing the Office of the Inspector General. The School Board provides all electricity, trash removal, utility service and general maintenance to the leased facility. The annual rent is \$1. All other terms of the Lease Agreement remain unchanged. (PREM) District 7 (HJF)

5. **Staff recommends motion to:**

**A) accept** an Easement from Boca Highland Center, Inc. for drainage; and

**B) approve** an Easement in favor of Boca Highland Center, Inc. (Boca Highland) for landscaping and utilities, and ingress/egress in the western portion of the County's proposed Cam D. Milani Park located in the Town of Highland Beach.

**SUMMARY:** The County is in the process of obtaining development approvals for Cam D. Milani Park, located in the Town of Highland Beach on the east and west sides of South Ocean Boulevard (State Road A1A), north of Spanish River Boulevard. Boca Highland is a not-for-profit corporation and manages the common area of the development which is located immediately to the south, north and west of the western Park parcel, and has an access road, landscaping and utilities which encroach upon the Park property. There has been a long standing dispute with Boca Highland as to ownership of the affected land, which started long before the County acquired title to the Park. The County needs a drainage easement over Boca Highland's property for legal positive outfall in order to develop the Park. Boca Highland's encroaching improvements are located within the typical setback/buffer area and do not reduce the usable land area for the Park. Therefore, the parties have agreed to resolve this matter through exchange of easements. Boca Highland is granting the County a perpetual non-exclusive easement for storm water drainage. In exchange, the County is granting a perpetual non-exclusive easement to Boca Highland for landscaping, utilities, and ingress/egress to permit the existing improvements which serve Boca Highland to remain in place. The total area of the easements that the County is granting to Boca Highland is 13,701.1 square feet (.31 acre). The easements are being granted at no charge. (PREM) District 4 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to:

**A) adopt** a Resolution approving the State Housing Initiative Program (SHIP) Local Housing Assistance Plan (LHAP) for fiscal years 2010-2011, 2011-2012 and 2012-2013 providing funding for the SHIP program strategies;

**B) approve** a Budget Amendment of \$6,551,026 to the Commission on Affordable Housing's (CAH) 2010-2011 budget; and

**C) approve** the following program strategy allocations: 1) Purchase Assistance Program \$2,508,167; 2) Homeownership Development Program \$1,000,000; 3) Federal HOME Program Match \$750,000; 4) Foreclosure Prevention Program \$100,000; 5) Utility Connection/Impact Fee Assistance Program \$100,000; 6) Housing Rehabilitation/ Barrier Free Program \$360,205; 7) Rental Development Program \$1,077,551; and 8) Program Administration \$655,103.

**SUMMARY:** Palm Beach County is to receive an annual allocation from the State of Florida Housing Finance Corporation through the SHIP Program to implement various affordable housing programs and other related activities. The SHIP regulations require that at least 65% of a local jurisdiction's allocation be earmarked home ownership activities. The CAH Advisory Committee recommended approval of staff's funding recommendations for the 2010-2011 LHAP at its March 25, 2010 meeting. For Fiscal Year 2010-2011 Palm Beach County is to receive \$6,551,026. **These are State SHIP funds that require no local match.** Countywide (TKF)

K. WATER UTILITIES

1. Staff recommends motion to approve: a "Utility Work by Highway Contractor" Agreement with Florida's Department of Transportation in the amount of \$11,242.94. **SUMMARY:** Florida's Department of Transportation (FDOT) is proposing improvements to State Road 704 (Okeechobee Blvd) from Florida's Turnpike to Military Trail. These improvements will necessitate the adjustment of 45 Palm Beach County Water Utilities Department (PBCWUD) water/wastewater valve boxes. In order to include this work within the road improvement project, FDOT requires PBCWUD to enter into a "Utility Work by Highway Contractor" Agreement to reimburse FDOT for the valve box adjustments in the amount of \$11,242.94 (lump sum). (WUD Project No. 10-010D) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve: Amendment No. 1 to the contracts for Engineering/Professional Services to incorporate the requirements and fee for the Office of the Inspector General into the Contract with the following firms:

- |                                                                                           |                                                                   |
|-------------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| A) AECOM Services (R2008-0531)<br>(F.K.A. Boyle Engineering Corp.)<br>Consulting Services | Utility Distribution & Collection System                          |
| B) A.D.A. Engineering, Inc. (R2008-0530)                                                  | Utility Distribution & Collection System<br>Consulting Services   |
| C) Carollo Engineers (R2008-0526)                                                         | Water Plant and Water Resources<br>Engineering Services           |
| D) Hillers Electrical Engineering, Inc. (R2008-0532)                                      | Electrical Instrumentation & Telemetry<br>Consulting Services     |
| E) Jordan, Jones & Goulding, Inc. (R2008-0527)                                            | Wastewater Consulting Services                                    |
| F) Mathews Consulting, Inc. (R2008-0529)                                                  | General Utility, Architectural and Value<br>Engineering Services  |
| G) Mock, Roos & Associates, Inc. (R2008-0528)                                             | Utility Hydrogeologic and Water<br>Resources Engineering Services |

**SUMMARY:** On April 1, 2008, the Board of County Commissioners approved the Contracts for Engineering/Professional Services. On December 15, 2009, the Board of County Commissioners adopted Ordinance No. 2009-049, the Palm Beach County Office of Inspector General Ordinance. This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future consultant services authorizations to the consultant. Countywide (JM)

3. Staff recommends motion to approve: Amendment No. 1 to the Contract for Design/Build Engineering Services (R2008-2323) with Globaltech, Inc. to incorporate the requirements and fee for the Office of the Inspector General into the Contract. **SUMMARY:** On December 16, 2008, the Board of County Commissioners approved the Contract for Design/Build Engineering Services with Globaltech, Inc. On December 15, 2009, the Board of County Commissioners adopted Ordinance No. 2009-049, the Palm Beach County Office of Inspector General Ordinance. This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future consultant services authorizations and work authorizations to the consultant. Countywide (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. **Staff recommends motion to approve:** Amendment No. 1 to the contracts for Continuing Construction to incorporate the requirements and fee for the Office of the Inspector General into the Contract with the following firms:

- |                                                       |                                            |
|-------------------------------------------------------|--------------------------------------------|
| A) Miller Pipeline Corporation (R2009-0770)           | Reconstruction of Wastewater Gravity Lines |
| B) Rangeline Tapping Services, Inc. (R2009-1976)      | Pipe Wet Tapping & Line Stopping           |
| C) Sheltra & Sons Construction Co., Inc. (R2009-0944) | Pipeline Continuing Construction           |
| D) Southeast Drilling Services, Inc. (R2008-0978)     | Floridian & Deep Injection Well            |

**SUMMARY:** On June 3, 2008, the Board of County Commissioners (BCC) approved the Contract with Southeast Drilling Services, Inc. (R2008-0978); on May 5, 2009, the BCC approved the Contract with Miller Pipeline Corporation (R2009-0770); on June 2, 2009, the BCC approved the Contract with Sheltra & Sons Construction Co., Inc. (2009-0944); and on November 17, 2009, the BCC approved the Contract with Rangeline Tapping Services, Inc. (R2009-1976). On December 15, 2009, the BCC Ordinance No. 2009-049, the Palm Beach County Office of Inspector General Ordinance. This Amendment will add the necessary language to the construction contract regarding the applicability of the Inspector General Ordinance and the inclusion of the Inspector General fee into future task orders. Countywide (JM)

5. **Staff recommends motion to approve:** a Potable Water and Wastewater Development Agreement with Bethesda Healthcare System, Inc. **SUMMARY:** On October 10, 2007, Bethesda Healthcare System, Inc. (Bethesda) entered into a Standard Potable Water and Wastewater Development Agreement (Agreement No. 05-01093-000) and a Mandatory Agreement Payment (MAP) was made to reserve capacity for development on a 58 acre site on the Northeast corner of State Road 7 and Boynton Beach Boulevard. The planned development was based on a separate metering scheme for the multiple hospital buildings. Bethesda has since requested a six inch (6") meter to serve the first hospital building, with subsequent additions to the meter at a later time as construction continues. The Agreement outlines and clarifies the special circumstances associated with this size meter and future additional demand to the meter and associated fees. The Agreement specifically supersedes and renders Agreement No. 05-01093-00 null and void, except that the MAP payment paid by Bethesda under Agreement 05-01093-00 shall be credited to this new Agreement. (WUD Project No.09-565) District 5 (MJ)

6. **Staff recommends motion to approve:** a Utility Easement granted to the County by Emerald Dunes Golf Course, LLC. **SUMMARY:** On May 5, 2009, Emerald Dunes Golf Course, LLC. (Emerald Dunes) entered into a Reclaimed Water Service Agreement (Agreement) No. 01-90004-000 with the County (R2009-776). The Agreement's Special Conditions require that Emerald Dunes shall grant to the County a Utility Easement for a future reclaimed water main. This reclaimed water main will be constructed by others. The Utility Easement includes mutual agreed provisions for construction coordination, timing and restoration of affected area, accessibility to the easement area, maintenance and rights to improve the easement area. District 2 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file: two (2) original documents for the Department of Environmental Resources Management:

**A)** Amendment No. 1 to the Florida Department of Environmental Protection (FDEP) Agreement No. 07PB4 to extend this Agreement and to revise the Project name to the Jupiter Beach Erosion Control Project and to make other necessary changes to the Agreement; and

**B)** Task Assignment for Contract S0485 with FDEP for the County to perform petroleum contamination site cleanup services for six (6) months on 171 petroleum contaminated sites.

**SUMMARY: A)** On October 16, 2007, the BCC approved Grant Agreement No. 07PB4 with FDEP for cost sharing on the Jupiter/Carlin Beach Nourishment Project. Under the terms of this Grant Agreement, FDEP will reimburse 50% of the Project costs, including the Study. Local match funding is provided through the shoreline restoration budget. **B)** On January 12, 2010, the BCC approved a Contract (R2010-0095) with FDEP authorizing the County to perform Petroleum Contamination Site Cleanup Program activities in Palm Beach County on behalf of the State. No ad valorem support is required for this contract. Delegation of approval authority memo was signed by the County Administrator on January 15, 2010. Countywide (SF)

2. Staff recommends motion to adopt: Resolution supporting promotion of the Gateway Community Program of the Florida Trail Association (FTA) in Palm Beach County (County) through activities, events and programs for residents and visitors. **SUMMARY:** The FTA is a non-profit organization whose mission is dedicated to building, maintaining, promoting and protecting over 1,500 miles of hiking trail throughout the state of Florida, referred to as the "Florida National Scenic Trail." Just over 80 miles of the Florida National Scenic Trail exist in Palm Beach County. The FTA has established the "Gateway Community Program" to recognize a mutually beneficial partnership with government agencies, local businesses, convention and visitors bureaus, and tourist development councils that help provide resources, educate, support and promote trail use through activities, events, facilities and programs that attract usage of the trail by both residents and visitors alike. The County desires to promote ecotourism and support the FTA by promoting the "Gateway Community Program" through signage and activities that highlight nature based tourism, trail usage and wellness through various hikes, awareness of Florida Hiking Trails Month, National Trails Day, and Florida Greenways and Trails Month. Adoption of this Resolution will subsequently result in the development of a Memorandum of Understanding (MOU) between the FTA, the Tourist Development Council, the Parks and Recreation Department, and the Department of Environmental Resources Management to integrate the Program objectives, events and activities into the educational and recreational agenda of the County. That MOU will be brought before the Board for its approval at a future Board meeting. Countywide (SF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: executed Independent Contractor Agreements received during the month of March:

**A)** Karen Lindquist, Letterboxing Instructor, Daggerwing Nature Center for the period March 29, 2010, through April 2, 2010, in an amount not-to-exceed \$100;

**B)** Elaine Williamson, Water Fitness Instructor, Therapeutic Recreation Complex for the period April 5, 2010, through September 30, 2010, in an amount not-to-exceed \$4,800;

**C)** Lauren Brown, Water Fitness Instructor, Therapeutic Recreation Complex for the period April 5, 2010, through September 30, 2010, in an amount not-to-exceed \$1,040;

**D)** Teresa Krellner, Basketball Official, West Boynton Park & Recreation Center for the period April 10, 2010, through May 23, 2010, in an amount not-to-exceed \$1,456; and

**E)** Ken Nemet, Master Swim Team Coach, Lake Lytal Aquatic Center for the period April 1, 2010, through June 30, 2010, in an amount not-to-exceed \$2,000.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and are now being submitted to the Board to receive and file. Districts 2, 3 & 5 (AH)

2. Staff recommends motion to receive and file: First Amendment to Agreement (R2009-1803) with the City of Delray Beach for the 2009 Roots Cultural Festival to extend the project completion date from August 30, 2009, to November 30, 2009, and to extend the project term ending date from November 30, 2009, to April 30, 2010.

**SUMMARY:** This fully executed First Amendment to Agreement extends the project completion date and project term end date by which the reimbursement request must be submitted in order to allow for continuation of the reimbursement process for this completed project. The Amendment is in accordance with Resolution R2005-1738 authorizing the delegation of authority for amending RAP agreements to the County Administrator or his designee. All other terms of the Agreement, including the funding amount of \$5,000, remain the same. Funding for the project is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

3. Staff recommends motion to adopt: Resolution amending Resolution R2008-1109 which delegates authority to the County Administrator or designee to execute standard entertainment contractor agreements for the provision of dancers, musicians, and specialty performers at County facilities. **SUMMARY:** Palm Beach County Parks and Recreation Department (Parks) established a standard entertainment contractor agreement which allows Parks to hire dancers, musicians, and specialty performers at County facilities. This amendment amends the standard entertainment contractor agreement, which is attached to Resolution No. R2008-1109, to include the Inspector General Fee requirement. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. **Staff recommends motion to adopt:** Resolution amending Resolution R2009-0592 which delegates authority to the County Administrator or designee to execute standard sound and light production services contractor agreements for the provision of sound and light production for entertainment at County facilities. **SUMMARY:** Palm Beach County Parks and Recreation Department (Parks) established a standard sound and light production services contractor agreement which allows Parks to hire sound and light production services to produce entertainment at County facilities. This amendment amends the standard sound and light production services contractor agreement, which is attached to Resolution No. R2009-0592 to include the Inspector General Fee requirement. Countywide (AH)
  
5. **Staff recommends motion to approve:** an amendment to the previously approved annual and daily permit fee policy for saltwater boat ramp trailer parking to include a commercial permit for boat dealerships and boat repair facilities with an annual fee of \$150. **SUMMARY:** On July 7, 2009, the Board approved an annual boat trailer parking fee of \$35 for five (5) County saltwater boat ramp locations (Bert Winters, Burt Reynolds, Juno, Jim Barry Light Harbor, and Phil Foster Parks), and on October 6, 2009, the Board approved a daily fee for boat trailer parking of \$10. A commercial annual permit for boat dealers and boat repair facilities with an annual fee of \$150 is proposed to accommodate those businesses which utilize the boat trailer parking spaces frequently, but for short duration for test drives, checking repairs, etc. The same permitting process used for annual and daily permits can accommodate the commercial permit at no additional cost to the County. Countywide (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. **Staff recommends motion to receive and file:** Grant Adjustment Notice amending the Department of Justice FY 2009 Recovery Act Justice Assistance Grant (JAG) for a change in scope for various criminal justice projects for the period March 1, 2009, to February 28, 2013. **SUMMARY:** The Palm Beach County Board of County Commissioners has received and filed a direct award of \$ \$1,246,822 on October 6, 2009 (R2009-1700). The grant adjustment notice was approved by the Department of Justice Office of Justice Programs Bureau of Justice Assistance on March 17, 2010 for the purpose of altering program activities. The purpose of the project and the total dollar amount remains the same. There is no requirement for match with the JAG funds. Countywide (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. Staff recommends motion to approve:

**A)** an Interlocal Agreement for \$75,000 with the Palm Beach County Sheriff's Office (PBSO) as a partner to support the law enforcement component of the Youth Violence Prevention Project (YVPP) for the period of October 1, 2009, to September 30, 2010;

**B)** a Budget Transfer of \$75,000 in the American Recovery and Reinvestment Act – Justice Assistance Grant (ARRA JAG) Fund to increase budget for PBSO; and

**C)** a Budget Amendment for \$75,000 in the Sheriff's Grant Fund to recognize the transfer from the ARRA JAG Fund.

**SUMMARY:** Palm Beach County has received a direct award of \$1,246,822 as part of the FY 2009 American Recovery and Reinvestment Act - Justice Assistance Grant (JAG): Local Solicitation. This award was received and filed by the Board of County Commissioners on October 6, 2009 as R2009-1700. The Law Enforcement Planning Council, representing the Law Enforcement component of the Youth Violence Prevention Project, has approved \$75,000 to allocate overtime for members of the Violent Crimes Task Force to conduct strategic operations. There is no requirement for match with the JAG funds. Countywide (DW)

3. **DELETED**

4. Staff recommends motion to:

**A) receive and file** a grant from the Florida Department of Law Enforcement (FDLE) for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program to fund the Program Monitoring and Evaluation Project that will examine a select number of programs funded by the Criminal Justice Commission. The total grant amount is \$160,212 and covers the period from October 1, 2009, through September 30, 2010; and

**B) approve** a Budget Amendment of \$160,212 in the General Fund to establish budget for the project.

**SUMMARY:** The Criminal Justice Commission is requesting the use of \$160,212 from the Florida Department of Law Enforcement FY '09 Edward Byrne Memorial Justice Assistance Grant (JAG). There is no match requirement for JAG funds. Countywide (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

5. Staff recommends motion to approve:

**A)** a Contract with ASPIRA of Florida, Inc., a not-for-profit agency, for \$98,000 for the period of October 1, 2009, through September 30, 2010, for the provision of renewal and enhancement services to high risk youth; and

**B)** a Budget Transfer of \$98,000 in the American Recovery and Reinvestment Act – Justice Assistance Grant (ARRA JAG) Fund from reserves to establish budget for this project.

**SUMMARY:** Palm Beach County has received a direct award of \$1,246,822 as part of the FY 2009 American Recovery and Reinvestment Act - Justice Assistance Grant (JAG): Local Solicitation. This award was received and filed by the Board of County Commissioners on October 6, 2009 (R2009-1700). ASPIRA will provide renewal and enhancement services to high risk youth, under the ASPIRA REACH Program to increase pro-social behaviors and improve participant school attendance by the end of the project. Countywide (DW)

6. **Staff recommends motion to approve:**

**A)** a Contract with Dominion Ministries, Inc., a not-for-profit agency, for \$55,031 for the period of October 1, 2009, through September 30, 2010, for the provision of home detention monitoring services to juveniles; and

**B)** a Budget Transfer of \$55,031 from the American Recovery and Reinvestment Act - Justice Assistance Grant (ARRA JAG) Fund reserves to establish budget for this project.

**SUMMARY:** Palm Beach County has received a direct award of \$1,246,822 as part of the FY2009 American Recovery and Reinvestment Act - Justice Assistance Grant (JAG): Local Solicitation. This award was received and filed by the Board of County Commissioners on October 6, 2009 (R2009-1700). The youth monitor will have face-to-face contact as well as indirect surveillance of juveniles on an unannounced, around the clock basis. Contact will be made at random, initially within 24 hours of placement under Dominion Ministries' supervision toward the goal of linking participating juveniles and families with community resources to help enhance life skills and reinforce proactive, acceptable social behavior. Countywide (DW)

7. Staff recommends motion to approve:

**A)** an Interlocal Agreement with the City of Riviera Beach for Civil Drug Court and Family Restart for \$168,000 (\$100,000 from FY 2009 American Reinvestment and Recovery Act Justice Assistance Grant (ARRA JAG), \$52,000 from Drug Abuse Trust Fund and \$16,000 from the Crime Prevention Fund) for the period October 1, 2009, through September 30, 2010; and

**B)** a Budget Transfer of \$100,000 from the ARRA JAG Fund reserves to establish budget for this project.

**SUMMARY:** The Criminal Justice Commission (CJC) recommends the use of ARRA JAG funds, Drug Abuse Trust Fund and Crime Prevention Fund for the following project. The Civil Drug Court Program, located in the City of Riviera Beach, provides case management services and contracts for residential and outpatient substance abuse services for indigent clients' court ordered to treatment. Countywide (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

8. Staff recommends motion to approve:

**A)** a Budget Transfer of \$92,400 from the Juvenile Assessment Center (JAC) Donation Fund reserves to the Palm Beach Sheriff's Office (PBSO) who will serve as the fiscal agent for necessary operating expenses; and

**(B)** a Budget Amendment of \$92,400 increasing the Sheriff's Grants Fund.

**SUMMARY:** Requested funds of \$92,400 will provide for 15 months (the remainder of this fiscal year and FY 2010-2011) of main entrance security at the JAC which is located at 3400 Belvedere Road, West Palm Beach; funding for a maintenance contract for the same period; and audio visual equipment for the large conference room. PBSO has agreed to serve as the fiscal agent to administer the provisions noted above. PBSO currently contracts for security in the secure side of the JAC. On March 22, 2010, the Criminal Justice Commission approved the recommendation of the operational expenditures outlined above. Countywide (DW)

9. Staff recommends motion to approve:

**A)** an Interlocal Agreement with Florida Atlantic University for a Restorative Justice Project for \$100,000 (\$92,411 from American Reinvestment and Recovery Act Justice Assistance Grant (ARRA JAG) Fund and \$7,589 from the Criminal Justice Reserve Fund) for the period October 1, 2009, through September 30, 2010;

**B)** a Budget Transfer of \$92,411 from the ARRA JAG Fund reserves to establish budget for this project; and

**C)** a Budget Transfer of \$7,589 from the Criminal Justice Reserve Fund reserves to increase budget for this project.

**SUMMARY:** The Criminal Justice Commission recommends the use of ARRA JAG funds and Criminal Justice Reserve Funds for the following project. The Florida Atlantic University Restorative Justice Program will develop at least one school-based demonstration program based on a restorative alternative to suspension, and/or a reentry process back into school after suspension and expulsion; integrate restorative dialogue processes into existing "Youth Empowerment Centers" as a means to help ensure that high risk and academically challenged youth can successfully remain in, and graduate from, high school; provide training and technical assistance in restorative justice practice targeted to school personnel, juvenile justice staff, school resource officers and police, and community members; and develop and report initial outcome measures, while formulating a longer-term research design and protocol for formative (and later impact) assessment of the pilot programs' effectiveness. Countywide (DW)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. **Staff recommends motion to approve:** an Interlocal Agreement with Seacoast Utility Authority (SUA) to connect to the Palm Beach County Regional Network at an annual cost of \$8,400 for the first point of connection, for an initial term of one (1) year, with automatic one (1) year renewals unless notice given by either party. **SUMMARY:** This Interlocal Agreement allows SUA to access Palm Beach County (County) network services on a cost sharing basis similar to the existing Interlocal Agreements between the County and various municipalities, as well as the South Florida Water Management District, Health Care District, and the Kravis Center for the Performing Arts. Interconnection to the County's Network will provide greater bandwidth for Internet access and disaster recovery programs while reducing SUA's overall network costs. SUA agrees to pay the County \$8,400 annually as the initial connection fee to access the Palm Beach County Network. Per Exhibit A of the Agreement, fees for additional connections are set at \$6,000 annually per connection. District 7 (PFK)
  
2. **Staff recommends motion to approve:** an Interlocal Agreement with Palm Beach State College (PBSC) to connect to the Palm Beach County Regional Network at an annual cost of \$8,400 for the first point of connection, for an initial term of one (1) year, with automatic one (1) year renewals unless notice given by either party. **SUMMARY:** This Interlocal Agreement allows the PBSC to access Palm Beach County (County) network services on a cost sharing basis similar to the existing Interlocal Agreements between the County and various municipalities, as well as the School District of Palm Beach County, South Florida Water Management District, Health Care District, and the Kravis Center for the Performing Arts. Interconnection to the County's Network will provide greater bandwidth for Internet access and disaster recovery programs while reducing PBSC's overall network costs. PBSC agrees to pay the County \$8,400 annually as the initial connection fee to access the Palm Beach County Network. Per Exhibit A of the Agreement, fees for additional connections are set at \$6,000 annually per connection. Countywide (PFK)

V. METROPOLITAN PLANNING ORGANIZATION

1. **Staff recommends motion to approve:** \$2,500 sponsorship for the Urban Land Institute (ULI) Conference for Southeast Florida on April 30, 2010 in Dania Beach, Florida. **SUMMARY:** The Miami-Dade, Broward and Palm Beach Metropolitan Planning Organizations (MPOs) have been invited to be major sponsors of the half-day conference. The conference will focus on the recent local long range transportation plans and the Regional Long Range Transportation Plan with an emphasis on transit as part of the integrated transportation system. Representatives from the Southeast Florida Regional Transportation Authority will talk about their plans, programs and opportunities in the public and private sectors. The funds would be reimbursed from federal grants. The MPO approved expenditure of federal funds at its March 18, 2010 meeting. Countywide (DR)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

**A) receive and file** a copy of the executed Hazardous Materials Contingency Planning and Grant Agreement in the amount of \$23,471; and

**B) approve** a Budget Amendment of \$1,437 in the Emergency Management Fund to adjust budget to the actual grant award.

**SUMMARY:** This is an annual grant from the State of Florida Division of Emergency Management to conduct on-site visits and hazardous materials analyses at facilities within Palm Beach County known to have extremely hazardous substances designated by the U.S. Environmental Protection Agency. These assessments are required for compliance with the Emergency Planning and Community Right-To-Know Act (EPCRA), also known as the Superfund Amendments and Reauthorization Act (SARA). No matching funds are required. The R2006-0401 gave authority to the County Administrator, or his designee, to execute these agreements on behalf of the Board of County Commissioners. Countywide (GB)

2. Staff recommends motion to receive and file: executed Amendment No. 1 to the Service Agreement with Child & Family Connections (R2009-1331) effective March 1, 2010. **SUMMARY:** The amendment incorporates Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 to the existing agreement. Resolution R2005-1588 authorizes the County Administrator or his designee to execute grant contracts with Child & Family Connections to provide supervised visitation services. Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to:

**A) approve** the following contracts with agencies to provide services per the Office of Justice Programs FY 2009 Family Drug Courts Program Grant (R2009-1813) in a cumulative amount not to exceed \$143,700 for the period of October 1, 2009, through September 30, 2012. There is no ad valorem funding required for the contracts.

- 1) Drug Abuse Foundation of Palm Beach County, in the amount of \$60,000;
- 2) Drug Testing and Counseling Services, in the amount of \$69,300;
- 3) Dr. Barry Gregory, DBA National Training Institute, in the amount of \$14,400;

**B) authorize** the County Administrator or his designee to execute amendments to these contracts on behalf of the Board of County Commissioners to adjust the not to exceed amounts as long as the cumulative total does not exceed \$143,700;

**C) authorize** the use of \$36,000 for incentives such as vouchers for food and clothing to reward Drug Court participants for positive behavior as specified in the grant contract. There is no ad valorem funding required for these incentives.

**SUMMARY:** The Division of Justice Services, in conjunction with the Department of Children and Families Substance Abuse and Mental Health Office applied for and was awarded a grant from the Office of Justice Programs in the amount of \$484,907 to develop a Family Drug Court program. The Family Drug Court, which is structured around an existing network of well established collaborations, will address substance abuse and other issues affecting the parent(s) of children in new dependency petitions. Over the three (3) year funding period, money from the grant will be used to pay for the following: \$183,037 for a Family Drug Court Coordinator position under the Division of Justice Service; \$39,570 for travel expenses for four (4) Drug Court Team members to attend National training events; \$110,400 categorized as supplies, such as office supplies, urinalysis services and incentives as rewards for positive behavior (i.e. gift certificates, gift cards); and \$151,900 for consulting services, contracts, and enhancements/implementation of computer systems. Countywide (GB)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: a Contract with Concept EFL Imaging Center, LLC to provide Radiology services in the amount not-to-exceed \$54,000 for the period April 23, 2010, through April 22, 2012. **SUMMARY:** Radiology services are necessary to the operation of the County's on-site occupational health clinic for high risk positions covered under Occupational Safety & Health Administration, National Institute for Occupational Safety & Health, and National Fire Protection Association (NFPA). Services include lumbosacral and/or chest x-rays required on pre-employment, periodic/annual physical exams and special screening as needed followed by written interpretations and summary reports. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to approve: Standard Agreement with the Area Agency on Aging (AAA) in the amount of \$363,283 to fund transportation services for the Division of Senior Services (DOSS) program for the period January 1, 2010, through December 31, 2010. **SUMMARY:** The Standard Agreement with the AAA includes information required by the AAA for transportation services to be provided by Palm Tran Connection for senior citizens who are clients of DOSS nutritional programs north of Hypoluxo Road. The AAA funds in the amount of \$363,283 and the local match has already been accounted for in Palm Tran Connection's approved FY 2010 budget. Countywide (DR)

BB. SHERIFF

1. Staff recommends motion to:
  - A) accept** a Florida Department of Law Enforcement Florida Consortium "2009 Paul Coverdell National Forensic Sciences Improvement Grant" in the amount of \$60,601 for the period of October 1, 2009, through September 30, 2010; and
  - B) approve** a Budget Amendment of \$60,601 in the Sheriff's Grant Fund.

**SUMMARY:** The National Institute of Justice (NIJ) awarded these funds to the Florida Department of Law Enforcement (FDLE) for the "2009 Paul Coverdell National Forensic Sciences Improvement Grant". On November 23, 2009, the Palm Beach County Sheriff's Office (PBSO) was awarded funds to improve the quality of forensic services. The PBSO's Technical Services Division will use the funds for training in court testimony procedures and Forensic Management Techniques, and to contract temporary clerical assistance to scan case files. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)
2. Staff recommends motion to:
  - A) accept** on behalf of the Palm Beach County Sheriff's Office, a pass-through contribution from Hartford Life Insurance Company in the amount of \$38,125, which represents reimbursement of a portion of administrative cost paid by Sheriff employees for FY 2009; and
  - B) approve** a Budget Amendment of \$38,125 in the Sheriff's Grant Fund.

**SUMMARY:** As contracted, Hartford Life Insurance Company (Hartford Life) is responsible to pay fees incurred in the administration of the Palm Beach County Sheriff's Office (PBSO) 12-b-1 employee deferred compensation plan. On January 29, 2010, the PBSO received a reimbursement of a portion of this administrative cost paid by employees for FY 2009. Once accepted, the funds will be transferred to the employee welfare organization 501(c)(4). There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

3. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a High Intensity Drug Trafficking Area (HIDTA) Program grant in the amount of \$100,000, for the Palm Beach County Multi-Agency Diversion Task Force, for the period of January 1, 2010, through December 31, 2011; and

**B) approve** a Budget Amendment of \$100,000 in the Sheriff's Grant Fund.

**SUMMARY:** On February 24, 2010, the Palm Beach County Sheriff's Office received an award from the Office of National Drug Control Policy. The funds will be used for overtime reimbursement and other expenses associated with the Palm Beach County Multi-Agency Diversion Task Force. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

4. Staff recommends motion to approve: a Budget Transfer of \$114,015 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO).

**SUMMARY:** Florida Statute 932.7055 requires that no less than 15% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2010 estimated donation requirement is \$158,962. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The current State LETf balance is \$1,513,457. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,399,442. The year-to-date transfer for all donations after approval of this item is \$374,219. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no additional County funds are required. Countywide (DW)

<u>Organization</u>	<u>Amount</u>
Florida Sheriff's Youth Ranches, Inc.	\$ 99,015
Southern Police Institute Alumni Association	<u>\$ 15,000</u>
<b>Total Amount of Donations</b>	<b>\$114,015</b>

\* \* \* \* \*

4. PUBLIC HEARINGS – 9:30 A.M. (Motion to receive and file: Proof of publication)

- A. **Staff recommends motion to adopt:** a Resolution abandoning all of the 30 foot by 100 foot public right-of-way (Green Street) recorded in Official Record Book 912, Page 657; a portion of Belvedere Road, recorded in Official Record Book 2276, Page 1485; a portion of Golf Avenue (Sandy Lane); three (3) separate five foot wide utility easements recorded within the plat of Country Club Estates, Plat Book 9, Page 53 and Plat Book 24, Page 105; and a three foot wide drainage easement recorded in Official Record Book 912, Page 657, Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will allow the petitioner, Palm Beach County, to abandon certain remnant sections of rights-of-way, a drainage easement and a utility easement that were left over after the other rights-of-way and easements were previously abandoned. These public rights-of-way and the portions of the drainage and utility easements are no longer needed. These areas to be abandoned are within the proposed development area shown on the adopted Airport Master Plan, located east of Military Trail and south of Belvedere Road within the Palm Beach International Airport property. District 2 (PK)
  
- B. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code Chapter 2, Article III, Division 2, Part A (the Palm Beach County Purchasing Code); amending Section 2-52 “Definitions”; amending Section 2-54(f) “Alternative Source Selection”; amending Section 2-58 “Conflict of Interest”; providing for repeal of laws in conflict; providing for severability; providing for a savings clause; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** The current Purchasing Code (Ordinance No. 2005-062), as amended in 2008 (Ordinance No. 2008-009), established a centralized purchasing system for the procurement of the County’s non-construction related goods and services. The Amendment to the Purchasing Code being recommended in this item includes minor revisions necessary in order to facilitate the efficiency of the County’s procurement process for purchases made for the Glades Utility Authority; to provide for consistency with the recently adopted Ethics Ordinance; and for the implementation of the Inspector General Fee on piggyback contracts. Countywide (DW)
  
- C. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, setting forth and amending Sections 2-80.41 through 2-80.48 of the Palm Beach County Code, the “Local Preference in Purchasing Ordinance”; providing for a title; amending Section 2-80.42 “Definitions”; deleting Section 2-80.43 “Reciprocal Preference for Local Businesses”; amending Section 2-80.44 “Preference for Local Businesses”; amending Section 2-80.44.1 “Preference for Glades Businesses”; amending Section 2-80.44.2 “Preference for the Use of Glades Subcontractors by Local Businesses”; deleting Section 2-80.45 “Interlocal Agreements”; providing for waiver; providing for reciprocity; amending section 2-80.47 providing for “limitations”; providing for rules and regulations; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** This Amendment modifies the reciprocity of our current Local Preference Ordinance by providing a local preference to businesses from Miami-Dade, Broward, Martin, or Hendry Counties when those counties provide a local preference to Palm Beach County businesses. The Amendment specifically clarifies that the lowest bidding or highest ranked Palm Beach County business shall not be supplanted by a business from Miami-Dade, Broward, Martin, or Hendry County receiving our local preference. Additionally, a limitation on the application of the local preference is included for Glades Utility Authority purchases when made pursuant to the alternative source selection under the Purchasing Code. Countywide (DW)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to deny: a request by the County Judiciary to fill a vacant System Administrator 2 position. **SUMMARY:** This System Administrator 2 position became vacant as a result of an internal promotion into a State funded position in fall 2009. The cost of filling the vacancy for the 2011 Fiscal Year will be \$71,300 plus an amount for the current year. The vacancy has generated \$56,000 in savings so far. While Court technology costs are supposed to be paid for by State authorized fees, those have been insufficient and the general fund budget is supplementing those fees, this year in an amount of \$3,843,000. The vacancy is one (1) of ten (10) County positions assigned to the Court Technology staff. There were three (3) positions in 2002. Per Board direction to try to reduce the general fund budget while minimizing layoffs, County management has implemented as strict a policy as possible of not filling positions that become vacant. This has and will cause the elimination of approximately 600 positions over three (3) years out of 4,500. County Administration does not view this position as critical, the Judiciary says it is. A timing alternative was suggested to wait till the June budget workshop for further Board direction. Countywide (PFK)

B. CLERK & COMPTROLLER

**TIME CERTAIN 10:00 A.M.**

1. Staff recommends motion to receive and file: Presentation of the Palm Beach County Comprehensive Annual Financial Report for fiscal year ending September 30, 2009. **SUMMARY:** The Clerk & Comptroller's office will provide a year-end financial review based on the Palm Beach County Comprehensive Annual Financial Report for 2009. Countywide (PFK)

2. Staff recommends motion to approve:

**A)** a Budget Amendment of \$104,247 that includes a transfer of \$156,371 from the General Fund Contingency to supplement the 2010 Value Adjustment Board budget; and

**B)** an Agreement with AXIA by Pioneer Technologies in an amount not to exceed \$13,600 for the cost of the AXIA Media Player upgrade to the AXIA software. This includes \$9,500 for Perpetual License, \$1,900 yearly maintenance support, and \$2,200 for installation and implementation of the upgrade.

**SUMMARY:** The 2010 Value Adjustment Board (VAB) season set a new record in the number of individuals filing petitions – 19,054. This was an increase of approximately 6,000 petitions filed from the year before, which was also a record-breaking year. With this increase in filed petitions, corresponding costs have also gone up, including, but not limited to, special magistrate hours, VAB Counsel hours and the number of needed temporary clerks. Additionally, the 2010 VAB Season has seen three (3) separate lawsuits which required the acquisition of outside legal counsel for defense. Lastly, staff has determined that by implementing the AXIA Media Player upgrade to the existing AXIA software, \$3,073.90 will be saved each year in corresponding costs. The upgrade will replace cassette tapes with digital recorders inside the hearing rooms. The initial outlay for the software upgrade is \$13,600 and has a payback period of four (4) years. The Value Adjustment Board has recommended the implementation of the upgrade for efficiency and liability purposes. For all the foregoing reasons, the VAB requires \$260,618 to supplement its current budget in order to meet operating cost projections for the remainder of the fiscal year. The Board of County Commissioners will be reimbursed 40% of these funds (\$104,247) by the School Board of Palm Beach County as mandated by State Statute. The remainder of the funds (\$156,371) will be paid out of the General Fund Contingency. Countywide (PK)

5. REGULAR AGENDA

C. COUNTY ATTORNEY

1. Staff requests board direction: regarding options for regulating the distribution of goods and materials or solicitation of funds on portions of the County's rights-of-way. **SUMMARY:** The Board requested that the County Attorney's Office research the County's ability to regulate distribution of goods and materials or solicitation of funds on the County's rights-of-way. This item offers options for the Board's consideration. Countywide (MRE)

D. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on May 18, 2010 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 17, Article II, business taxes; amending Section 17-69, dance halls, variety exhibitions, etc. providing for repeal of laws in conflict; providing for savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The Business Tax Ordinance includes a tax on businesses that allow dancing or charge for entertainment. This Ordinance expands an existing exemption in the Ordinance by exempting from the tax live entertainment at establishments with an occupancy limit or capacity of 100 persons or less with a county receipt in another business tax category. The exemption in the current Ordinance applies only if the establishment does not sell, serve or allow alcoholic beverages. This exemption will have a negligible impact on County revenues. Countywide (PK)
2. Staff recommends motion to adopt: a Resolution authorizing the issuance of its Taxable Public Improvement Revenue Bonds (Convention Center Hotel Project), Series 2010 in the aggregate principal amount of not exceeding \$11,604,000 for the purpose of paying, together with other legally available funds of the County, the principal on the County's \$11,543,892.36 Taxable Public Improvement Revenue Bond Anticipation Notes (Convention Center Hotel Project), Series 2007 on or before the maturity date thereof and paying costs of issuance of the 2010 Bonds; providing for the application of the proceeds of the 2010 Bonds; determining certain details of the 2010 Bonds; providing for the sale of the 2010 Bonds to PNC Bank, National Association (PNC Bank); appointing the County as the initial paying agent and registrar for the 2010 Bonds and authorizing the proper officers of the County to do all other things necessary or advisable as to the sale and delivery of the 2010 Bonds; and providing an effective date. **SUMMARY:** In April, 2007, the Board authorized the issuance of the \$11.5 Million in Bond Anticipation Notes (BANS) (R2007-0584) which paid off the initial notes used to provide the financing for the costs of acquiring the convention center hotel site. The BANS are due on May 1, 2010. Staff is recommending that due to the uncertainty of the timing of the construction of a convention center hotel, the County seek permanent financing for the convention center hotel site. A Request for Proposals was sent out on March 18 with responses received on April 8, 2010. PNC Bank won the bid with the lowest fixed taxable interest rate of 5.484% and the closing will take place by May 1, 2010. Ruden McCloskey was appointed to serve as Bond Counsel. The cost of issuance will not exceed \$60,000. Countywide (PK)

5. REGULAR AGENDA

E. PUBLIC SAFETY

1. Staff recommends motion to approve: the following contracts for the new Next Generation 911 (NG 911) phone system:

**A)** a Contract with Intrado/Positron for an amount not to exceed \$9,290,049;

**B)** a Contract with AT&T for an amount not to exceed \$4,591,543; and

**C)** a Contract with Kimball & Associates for the amount not to exceed \$429,310.

The total cost of the contracts and the new NG 911 phone system is funded entirely with state grants and revenue generated from the 911 system.

**SUMMARY:** These three (3) contracts would allow the County to implement three (3) components and project management of the new 911 system: **A)** the Intrado/Positron contract will provide for the purchase and installation of call receiving and handling software and equipment for the NG 911 system. The Scope of Work includes, but is not limited to, installation of software and equipment at the 22 Public Safety Answering Points (PSAP) throughout the County, backup data centers located outside of Palm Beach County, and training of PSAP personnel; **B)** the AT&T contract will provide for the purchase and installation of network and call routing software and hardware related to the NG 911 system. The Scope of Work includes, but is not limited to, installation of software and equipment for a network and 911 call routing and automatic number identification and automatic location information; and **C)** the Kimball & Associates contract will provide the County with the technical support, project management and oversight necessary for a successful implementation of the NG 911 project. Kimball and Associates has been the consultant of record from the start of the County's NG 911 initiative for the request proposal development and procurement phase to contract negotiations. Countywide (GB)

5. REGULAR AGENDA

F. WATER UTILITIES

1. [Staff recommends motion to approve on preliminary reading and to advertise for Public Hearing on May 18, 2010 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, creating the “Palm Beach County Water Utilities Tampering Ordinance”; providing for a title; providing for authority; providing for definitions; providing for applicability; providing for violations; providing for penalties for service account holders; providing for penalties for non-service account holders; providing for alternative enforcement provisions, providing for rental property; providing for the delegation of designation of Water Utilities Department employees as Code Enforcement Officers; providing for inclusion in the Code Enforcement Citation Ordinance of Palm Beach County, Florida; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for enforcement; providing for penalties; providing for captions; and providing for an effective date. **SUMMARY:** This Ordinance will allow the Water Utilities Department (Department) to assess fines for tampering with or making unauthorized connections to the Department’s utility system. Tampering and unauthorized connections are threats to the public health, safety, and welfare because such actions may allow for injection of contaminating materials into the water system. Tampering and unauthorized connections are also financially detrimental to the Department and its customers because services are obtained without payment to the Department. The Ordinance will allow Water Utilities Department employees to impose fines on service account holders, issue citations as Code Enforcement Officers, or use alternative code enforcement methods through the Planning, Zoning and Building Department. The proposed fines will be \$250 for tampering with or unauthorized connection to the Department’s utility system, and \$400 for the introduction of any materials into the Department’s utility system. The \$250 fines were increased from the initial draft ordinance per Board direction. The \$400 fine is the maximum allowed by the citation process. A Special Master may impose higher fines under the alternative code enforcement methods. Countywide (MJ)

5. REGULAR AGENDA

F. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve: an Interlocal Agreement (Agreement) with the Seminole Improvement District (SID) for the purchase and sale of bulk reclaimed water, including a credit against future reclaimed water reservation charges in exchange for a permit to cross the M-2 canal, owned by SID. **SUMMARY:** On May 20, 2008, Palm Beach County (County) and Florida Power and Light (FPL) entered into a Reclaimed Water Agreement (R2008-0906) (FPL Agreement). The County agreed to provide FPL with an average capacity of 22 million gallons per day (MGD) of reclaimed water to be used as cooling water for electric generators in FPL's West County Energy Center (WCEC). FPL is paying the total capital and operating cost of the treatment facilities needed at the East Central Water Reclamation Facility (ECRWF) and the 19-mile pipeline to the WCEC. The County receives an administrative overhead fee on each gallon of reclaimed water delivered. Under the FPL Agreement, when FPL's demand for reclaimed water is less than the pipeline's peak design flow of 27 MGD, surplus reclaimed water can be sold by County to other customers, on an interruptible basis, the proceeds of which are to be split by formula between FPL and County. The rates for this additional reclaimed water were adopted on March 23, 2010 by the Board of County Commissioners (ORD-2010-008). This Agreement advances the reality of a northern regional reclaimed water system as envisioned in a previous agreement with SID (Bulk Service Agreement) (R2006-0732), with SID as the first customer. In this Agreement, SID is reserving 3.85 MGD of interruptible reclaimed water under the terms established by the BCC, with two (2) exceptions: a waiver of the 13 cents per thousand gallons per day reservation charge and the freezing of the commodity rate for five (5) years. These exceptions have been negotiated in exchange for a permit and access to SID property in order to allow the crossing of the M-2 canal by the County's reclaimed water pipeline. The present value of the negotiated credit to SID, when taken in isolation from other potential future benefits to the County and to FPL, significantly exceeds the \$2,500 appraised value of the permitted property. No monetary benefit would accrue to SID unless they actually buy reclaimed water under the Agreement. FPL has agreed to cover the entire cost of the credit to SID, thus allowing County to continue to accrue its full administration fee on every gallon of capacity reserved by and sold to SID under this agreement. District 6 (MJ)

5. REGULAR AGENDA

G. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** a second waiver to exceed the \$10,000 per home limit for lead-based paint related costs by authorizing an additional \$5,650 for Thomas Hankerson, of Belle Glade, under the Residential Rehabilitation Program. **SUMMARY:** On November 6, 2007 (Agenda Item No. 5D-1), the Board of County Commissioners (BCC) authorized the expenditure of up to \$10,000 per home for lead-based paint related costs in connection with the rehabilitation of homes undertaken under the Residential Rehabilitation Program. Mr. Hankerson, a very-low income elderly homeowner residing in Belle Glade, is an applicant under this program. The rehabilitation of Mr. Hankerson's home (built in 1940, and appraised at \$74,520) included work items for the removal of lead-based paint hazards the cost of which exceeded the \$10,000 per home limit thereby necessitating a waiver. On December 15, 2009 (Agenda Item No. 5D-1), the BCC approved a waiver to this limit thereby authorizing an additional \$5,047.11 to address these lead-based paint hazards. During the lead-based paint abatement process, while the painted building components were being field checked for lead-based paint, it was discovered that the consultant's original inspection report had omitted certain readings due to a software glitch. The affected building components that were omitted require abatement thereby necessitating this second waiver to add \$5,650 to the of cost lead-based paint hazard reduction. Some of the affected building components that were omitted require abatement (removal) in compliance will applicable Federal regulations because they will be disturbed in the construction process which would have created a hazard. The other affected building components that were omitted will be abated because they have lead-based paint in a fair condition that could deteriorate further into a hazard. The net result of performing the original abatement work and the abatement of the omitted components would result in a lead-free home thereby eliminating any future exposure to the occupants. Upon approval of the second waiver, the total cost associated with addressing the lead-based paint in Mr. Hankerson's home will be \$20,697.11. **These are Federal Community Development Block Grant funds that require no local match.** District 6 (TKF)

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6. BOARD APPOINTMENTS

A. **COUNTY ADMINISTRATION**  
**(Water Resources Task Force)**

1. **Staff recommends motion to:**

**A) appoint** Albrey Arrington of the Loxahatchee River District and David Brown of the Town of Jupiter Utilities Department as the member and alternate (Seat No. 8), respectively on the Palm Beach County Water Resources Task Force for the special independent district or utility water and/or wastewater provider seat, effective April 20, 2010; and

**B) ratify** Michael Erickson and Tanya Quickel of Indian Trail Improvement District as the member and alternate (Seat No. 14), respectively on the Palm Beach County Water Resources Task Force for the Indian Trail Improvement District seat, effective April 20, 2010.

**SUMMARY:** The Water Resources Task Force is comprised of 14 members: six (6) City elected officials; one (1) County Commissioner; one (1) special independent district water and/or wastewater provider or utility water or wastewater provider representative; one (1) Lake Worth Drainage District representative; one (1) drainage/water control district representative; one (1) South Florida Water Management District Governing Board member; one (1) environmental representative; one (1) land owner actively farming to represent agricultural interests; one (1) Indian Trail Improvement district representative. The resolution also requires designated alternates for each seat. Due to the resignation of one (1) of the Task Force members and the addition of a representative for Indian Trail Improvement District on the Task Force, two (2) new members and alternates need to be appointed/ratified by the Board of County Commissioners. Countywide (MJ)

B. **PALM TRAN**  
**(Palm Tran Service Board)**

1. **Staff recommends motion to approve:** Appointment of one (1) At-Large member to the Palm Tran Service Board (PTSB) for a term of two (2) years, effective April 20, 2010:

<b><u>Nominee</u></b>	<b><u>Category</u></b>	<b><u>Seat Number</u></b>	<b><u>Term to Expire</u></b>	<b><u>RecommendedBy</u></b>
Bradley Morton	Business Member	5	04/19/2012	Comm. Aaronson

**SUMMARY:** Since 2008, the PTSB has been comprised of 13 at-large members; however in August 2009, Ms. Suarez-Murias, who held the Business Member seat No. 5, was appointed to fill Seat No. 9, Regular Fixed-Route Bus Passenger Seat. This left seat No. 5 vacant. A memo was circulated to the Board of County Commissioners along with the Board Appointment Nomination Forms. This was the only nomination received. Countywide (DR)

6. BOARD APPOINTMENTS

C. **PUBLIC AFFAIRS**  
**(Education and Government Programming Advisory Board)**

1. **Staff recommends motion to approve:** reappointment of two (2) At-Large members to the Education and Government Programming Advisory Board for a term of two (2) years:

<b><u>Reappoint</u></b>	<b><u>Requirement</u></b>	<b><u>Seat</u></b>	<b><u>Nominated By</u></b>	<b><u>Term</u></b>
John Spinola	Broadcast General Manager	1	Comm. Aaronson Comm. Marcus Comm. Koons Comm. Abrams Comm. Santamaria Comm. Taylor	4/18/10-4/17/12
Carey O'Donnell	Marketing Director	3	Comm. Aaronson Comm. Marcus Comm. Koons Comm. Abrams Comm. Santamaria Comm. Taylor	4/18/10 - 4/17/12

**SUMMARY:** The Education and Government Programming Advisory Board was created by Resolution No. R91-1489 and amended by Resolution No. R-92-388 on March 17, 1992. The Advisory Board consists of ten (10) At-Large members. Board members represent fields of expertise from the following categories: Broadcast General Manager; Engineer with experience in telecommunication systems; Marketing Director; Cable Industry; Adult Education; PBC Public School System; Member of the BCC; Municipal government representative; and two (2) Citizens-at-Large. The members are appointed by the Board of County Commission and provide assistance in the operation of Channel 20. On March 12, 2010, a memo was sent to the Board of County Commissioners requesting nominations, appointments or reappointments. Countywide (MJ)

D. **COMMISSION DISTRICT APPOINTMENTS**

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**APRIL 20, 2010**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**APRIL 20, 2010**

**8. COMMISSIONER COMMENTS**

**A. District 1 - COMMISSIONER KAREN T. MARCUS, VICE CHAIR**

**B. District 2 - COMMISSIONER JEFF KOONS**

**C. District 3 - COMMISSIONER SHELLEY VANA**

**D. District 4 – COMMISSIONER STEVEN L. ABRAMS**

**E. District 5 - COMMISSIONER BURT AARONSON, CHAIR**

**F. District 6 - COMMISSIONER JESS R. SANTAMARIA**

**G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR**

**9. ADJOURNMENT**

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

**BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA**

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**APRIL 20, 2010**

<b><u>PAGE</u></b>	<b><u>ITEM</u></b>	
18	3H-5	<b><u>DELETED:</u> Staff recommends motion to: A) accept</b> an Easement from Boca Highland Center, Inc. for drainage; and...(FDO) (Further staff review)
26	3Q-6	<b><u>DELETED:</u> Staff recommends motion to approve: A)</b> a Contract with Dominion Ministries, Inc., a not-for-profit agency, for \$55,031 for the period of October 1, 2009, through September 30, 2010, for the provision of home detention monitoring services to juveniles;...(CJC) (Insurance certificate issue)
28	3U-1	<b><u>DELETED:</u> Staff recommends motion to approve:</b> an Interlocal Agreement with Seacoast Utility Authority (SUA) to connect to the Palm Beach County Regional Network...(ISS) (Further staff review)
34	5A-1	<b><u>TIME CERTAIN 10:15 A.M.:</u> Staff recommends motion to deny:</b> a request by the County Judiciary to fill a vacant System Administrator 2 position. (Admin)
34	5A-2	<b><u>ADD-ON:</u> Staff recommends motion to adopt:</b> a Resolution supporting a Job Growth Incentive (JGI) Grant in the amount of \$40,000 as a portion of the local match for a State Qualified Target Industry Grant (QTI) and \$100,000 as a portion of the local match for a Quick Action Closing Fund with Tyco International US, Inc./ADT Security Services, Inc. (ADT). <b>SUMMARY:</b> ADT, a subsidiary of Tyco International, has two (2) site locations headquartered in Boca Raton as the base for the executive leadership and functional departments that supports 700 existing employees. ADT designs, sells, installs, services and monitors electronic security systems for residential, commercial, education, governmental and industrial customers. ADT would like to consolidate its multiple headquarters and support location into a single location, create new jobs at the consolidated site and make capital expenditures related to tenant improvements at the new corporate headquarters facility. These local match commitments requires the company to create 100 new jobs by December 31, 2013, with an average salary of \$72,000 excluding benefits; and maintain the 100 new jobs and 700 existing jobs for five (5) years from the effective date of the Agreements. The ADT average salary is almost 165% over the County average wage of \$43,846. In total, the County will be providing up to \$140,000 or 50% of the required local match. The City of Boca Raton will be providing the remaining \$140,000 or 50% of the required local match. ADT is expected to produce an economic development return on investment including direct, indirect and induced dollars as follows: \$38 million in output, \$12 million in wages, and \$1 million in taxes over the period of the grant. These Grant Agreements will be brought before the Board of County Commissioners (BCC) when ADT has finalized their relocation plans. The BCC directed staff to bring qualified companies to the BCC for consideration. Funding will come from General Fund Contingency Reserves. <u>District 4</u> (DW) (Admin/EDO)

**ADD-ON: Staff recommends motion to adopt:** a Resolution supporting a Job Growth Incentive (JGI) as the required twenty percent (20%) Qualified Target Industry (QTI) local match, with National Healing Holding Corporation (NHHC) in the amount of \$24,000. **SUMMARY:** The NHHC's headquarters in Boca Raton is the base for the executive leadership and functional departments that supports 82 employees as a leading provider of comprehensive wound centers for hospitals nationwide. NHHC recently purchased a company located in Denver, Colorado, and plans to relocate it in Palm Beach County. The company will create 40 new jobs by December 31, 2012, with an average salary of \$58,403 excluding benefits; and maintain the 40 new jobs and 82 existing jobs for five (5) years from the effective date of the Agreement. NHHC average salary is almost 150% of the state average wage and 133% over the County average wage. NHHC is expected to produce an economic development return on investment including direct, indirect and induced dollars as follows: \$4.6 million in output, \$3.2 million in wages, and \$154,001 in taxes over the period of the grant. Under the Qualified Target Industry Tax Refund Funds are not allocated in the current budget for JGI. The BCC directed Staff to bring qualified companies to the Board of County Commissioners (BCC) for consideration. The Grant Agreement will be brought before the BCC when NHCC has finalized their relocation plans. If approved, funding will come from General Fund Contingency Reserves. District 4 (DW) (Admin/EDO)

**REVISED TITLE: Staff recommends motion to approve:** **A)** a Budget Amendment of \$104,247 that includes a transfer from the General Fund Contingency to supplement the 2010 Value Adjustment Board budget; and **B)** ~~an Agreement with AXIA by Pioneer Technologies in an amount not to exceed \$13,600 for the cost of the AXIA Media Player upgrade to the AXIA software. This includes \$9,500 for Perpetual License, \$1,900 yearly maintenance support, and \$2,200 for installation and implementation of the upgrade. (Clerk & Comptroller)~~

**REVISED TITLE & SUMMARY: Staff recommends motion to approve:** the following contracts for the new Next Generation 911 (NG 911) phone system: ~~**A)** a Contract with Intrado/Positron for an amount not to exceed \$9,290,049; **B)** a Contract with AT&T for the purchase, installation and maintenance of the NG 911 phone system over a period of six (6) years in an amount not to exceed \$4,591,543~~ \$16,292,011. Of this amount, \$4,505,261 represents the purchase, installation and initial maintenance of the NG 911 system. The remaining \$11,786,750 represents the maintenance of the NG-911 system for the balance of the contract; and ~~**CB)** a Contract with Kimball & Associates in an amount not to exceed \$429,310. The total cost of the contracts and the new NG 911 phone system is funded entirely with state grants and revenue generated from the 911 system. **SUMMARY:** These ~~three (3)~~ two (2) contracts would allow the County to implement three (3) components and project management of the new 911 system. ~~**A)** The Intrado/Positron contract will provide for the purchase and installation of call receiving and handling software and equipment for the NG 911 system. The Scope of Work includes, but is not limited to, installation of software and equipment at the 22 Public Safety Answering Points (PSAPS) throughout the County, backup data centers located outside of Palm Beach County, and training of PSAP personnel. **BA)** the AT&T contract will provide for the purchase, and installation and maintenance of network and call routing software and hardware related to the NG 911 system. The Scope of Work includes, but is not limited to, installation of software and equipment for a network and 911 call routing and automatic number identification (ANI) and automatic location information (ALI). ~~**CB)** the Kimball & Associates contract will provide the County with the technical support, project management and oversight necessary for a successful implementation of the NG 911 project. Kimball and Associates has been the consultant of record from the start of the County's NG 911 initiative for the request proposal development and procurement phase to contract negotiations. The contract with Intrado/Positron for the installation of software and equipment at the 22 Public Safety Answering Points throughout the County will be forthcoming in the near future once the contract terms are finalized. This contract will allow for the completion of the new NG 911 system. Countywide (GB DW) (Public Safety)~~~~~~

**ADD-ON, REVISED TITLE & SUMMARY:** Staff recommends motion to approve: the appointment of one (1) at-large member to the Glades Utility Authority (GUA) Board:

<b><u>Nominee</u></b>	<b><u>Seat</u></b>	<b><u>Requirements</u></b>
Stacie J. Rimes	County Appointee	<del>Current GUA Customer</del> Resides in GUA Service Area

**SUMMARY:** On June 16, 2009, the Board of County Commissioners adopted Resolutions No. R2009-1033 through R2009-1035 and approved an Interlocal Agreement establishing the Glades Utility Authority (GUA). The GUA is a regional partnership between Palm Beach County and the cities of Belle Glade, Pahokee, and South Bay formed to provide sustainable water and wastewater services to the citizens of the three (3) Glades cities and surrounding unincorporated areas. Pursuant to the Agreement, three (3) members of the seven (7) member board are appointed by the Palm Beach County Board of County Commissioners. One County-appointed seat has recently been vacated by Michael Jackson. Ms. Stacie J. Rimes has expressed a desire to fill this vacancy and meets the requirements of the seat. These requirements are: to be appointed by the Board of County Commissioners, ~~to be a current GUA customer~~ and reside within the GUA service area. District 6 (MJ) (WUD)

**REVISED TITLE:** Staff recommends motion to:

**A) appoint** Albrey Arrington of the Loxahatchee River District and David Brown of the Town of Jupiter Utilities Department as the member and alternate (Seat No. 8), respectively on the Palm Beach County Water Resources Task Force for the special independent district or utility water and/or wastewater provider seat, effective April 20, 2010; and

**B) ratify** Michael Erickson and ~~Tanya Quicke~~ Michelle Damone of Indian Trail Improvement District as the member and alternate (Seat No. 14), respectively on the Palm Beach County Water Resources Task Force for the Indian Trail Improvement District seat, effective April 20, 2010. (Admin/Water Resources)

**NOTE:** Items that were revised, added, deleted, or backup submitted and were not listed on the addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (\*).